

Environmental Checklist Form

Page 1005-0040 ¹⁸
 Project Number: 2005-0040
 Project Address: 495 Java Drive
 Applicant: Network Appliance

Project Title	Network Appliance Campus Master Plan
Lead Agency Name and Address	City of Sunnyvale PO Box 3707 Sunnyvale, CA 94088-3707
Contact Person	Kelly Diekmann
Phone Number	408-730-7659
Project Location	495 East Java Drive
Project Sponsor's Name	Network Appliance (DES Architects)
Address	1068 East Meadow Circle Palo Alto, CA 94303
Zoning	MP-TOD (Moffett Park Transit Oriented Development) MP-I (Moffett Park Industrial)
General Plan	Moffett Park Specific Plan
Permits Requested	Major Moffett Park Design Review
Other Public Agencies whose approval is required	None

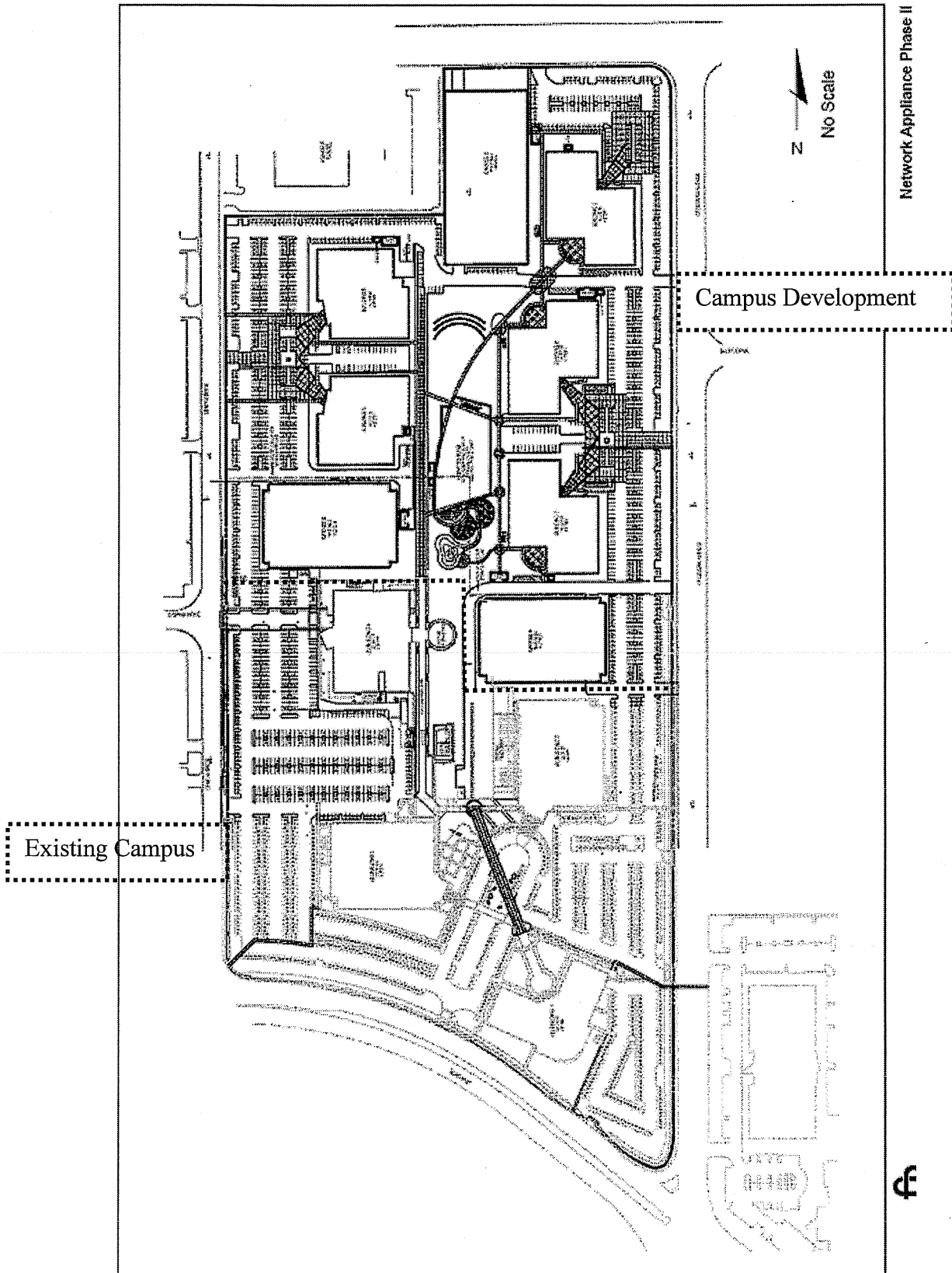
Description of the Project: *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. (Attach additional sheets if necessary))* The project is within the boundaries of the recently adopted Moffett Park Specific Plan that targets intensification of high tech office uses in the park, specifically adjacent to the VTA light rail corridor. An EIR (SCH 2001052121) was approved in conjunction with the adoption of the specific plan and the proposed project is tiered from the Program EIR. The project will be in conformance with the mitigation monitoring program of the certified EIR. The application is for a design review of the proposed buildings' architecture and site improvements and this initial study reviews the attributes that are particular to the site that were not covered in the previously certified EIR.

The project is located on a 45.5 acre site that is currently occupied by Network Appliance's R&D and corporate office facilities. (site plan next page) The site currently has six existing buildings and associated on-grade parking and landscaping improvements. The proposed master plan includes the demolition of two older existing buildings at the north end of the site and the construction of five new R&D buildings, an amenity building, parking structures, and landscape improvements. In the general location of Building 7 a former industrial building had previously been demolished. At buildout there will be approximately 1,376,000 square feet of development, a net increase of approximately 613,000 square feet, for a site FAR of 68.8%. The project also includes a commitment to incorporate sustainable design features equivalent to the requirements of USGBC for a LEED Certified level of achievement. The Master Plan is intended to be built out over a time period of 5-7 years with one new building to be constructed starting in 2005. Upgrades to city utilities in Crossman Avenue are foreseeable in conjunction with the proposed project and is identified as a necessary improvement in the Specific Plan.

Surrounding Uses and Setting: The site is located near the center of the Moffett Park and surrounded by other industrial uses. The site is bounded to the north by Caribbean Drive and the City of Sunnyvale Landfill, to the east by Crossman Avenue and R&D high tech businesses, to the south the VTA Light Rail line within Java Drive and R&D high tech businesses, and to the west Geneva Drive and a local serving retail center and R&D high tech businesses.

Environmental Checklist Form

Page 2
 Project Number: 2005-03
 Project Address: 495 Java Drive
 Applicant: Network Appliance



Environmental Checklist Form

Page 3 of 18
Project Number: 2005-034
Project Address: 495 Java Drive
Applicant: Network Appliance

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" that has not been reviewed as part of the certified Program EIR as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

Signature
Kelly Diekmann
Printed Name

May 24, 2005
Date
City of Sunnyvale
For (Lead Agency)

EVALUATION OF ENVIRONMENTAL IMPACTS TIERED FROM THE PROGRAM EIR =

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis). Due to the tiering of this Mitigated Negative Declaration from a certified Program EIR, no impact shall also categorize impacts that were previously adequately analyzed in the EIR.
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (b) (1) (c). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Previous Environmental Actions related to the project:*Moffett Park Specific Plan EIR (SCH#: 2001052121), Certified November 11, 2003*

The documents are available for review at 456 West Olive Avenue at the One Stop in City of Sunnyvale City Hall and online at www.sunnyvaleplanning.com. The following issues were addressed in the EIR:

- | | |
|-------------------------------|---------------------------|
| ❖ Aesthetics | ❖ Land Use |
| ❖ Air Quality | ❖ Noise |
| ❖ Biological Resources | ❖ Population and Housing |
| ❖ Cultural Resources | ❖ Public Services |
| ❖ Geology and Soils | ❖ Traffic and Circulation |
| ❖ Hazards | ❖ Utilities |
| ❖ Hydrology and Water Quality | |

The program EIR addresses the impacts of complete buildout of the Specific Plan from its 15.6 million square feet of existing and approved development (2003) and the additional 8.7 million square feet permitted under the proposed plan for a total of 24.33 million square feet. The plan established two tiers of FAR allowances within its two industrial zones of MP-I and MP-TOD. Each zone has a standard FAR limit that permits industrial, office, R&D, etc. by right, and provides two alternatives for exceeding standard FAR up to a maximum FAR limit. A project may propose to develop in accordance with USGBC LEED Certified green building requirements, which again permit the use by right in conjunction with a design review (Major Moffett Park Design Review), or a project may apply for a form of a conditional use permit (Major Moffett Park Special Development Permit) to gain entitlement to the additional FAR if they do not choose to build green. All impacts were determined to be less than significant, except for cumulative impacts to transportation and traffic, population and housing, and air quality. Although mitigation measures were incorporated into the mitigation monitoring program, the impacts could not be mitigated to a level less than significant and statements of overriding consideration were adopted by the City Council upon approval of the Moffett Specific Plan.

The proposed project by Network Appliance conforms to the intensity requirements and green building requirements of the specific plan qualifying the proposed R&D campus as a use permitted by right, making the review of this project a design review with discretionary action relating only to the appearance and layout of the proposed facilities thereby narrowing the scope of the subsequent CEQA review to issues peculiar to the site of the proposed project. Environmental impacts of the intensification of use and types of uses have previously been analyzed as part of the certified EIR. The primary issues of concern were adjacent intersection operation, site location in a flood plain, and tree preservation.

However, the mitigation monitoring program of the EIR is mandatory for all subsequent projects within the Moffett Park Specific Plan boundaries regardless of whether a project is discretionary or not. The following mitigation monitoring program requirements from the EIR are relevant to the proposed project in addition to standard development code requirements, e.g. building, zoning, standard engineering specifications.

(continued next page)

Environmental Checklist Form

Page 4 of 18
Project Number: 2005-0849
Project Address: 495 Java Drive
Applicant: Network Appliance

Mitigations Monitoring Provisions of the certified Final EIR (SCH#: 2001052121)

Air Quality 3.2B; 3.2C
Biological Resources 3.3A; 3.3D
Geology and Soils 3.5A; 3.5B; 3.5C; 3.5D; 3.5F
Hazards and Hazardous Materials 3.6C; 3.6E; 3.6F
Hydrology and Water 3.7E
Housing 3.10a
Public Services 3.11
Potable water 3.13f1
Energy conservation plan 3.13i

Per the mitigation monitoring program's specific provisions, the mitigations will be included as conditions of approval for the design review permit and subsequent building permits.

Environmental Checklist Form

Page 7 of 18
 Project Number: 2005-0340
 Project Address: 495 Java Drive
 Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 91
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9,91
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	91
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	27, 53, 108, 109
2. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 97,108, 109
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 97,108, 109
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108, 109
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	108, 109
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 108, 109
3. BIOLOGICAL RESOURCES:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50,92,91

Environmental Checklist Form

Page 8
 Project Number: 20051034
 Project Address: 495 Java Drive
 Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 109
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	91,108, 109
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108, 109
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 109
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11,50
4. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9, 56, 57,58
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9, 50, 108, 109
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9, 50, 108, 109
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9, 50, 108, 109
5. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 43

Environmental Checklist Form

Page 9 of 10
 Project Number: 2005-0340
 Project Address: 495 Java Drive
 Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	43
6. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 11
7. NOISE. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	15, 27, 50, 108
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108, 109
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	108, 109
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108
8. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	91, 108, 109
9. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 108

Environmental Checklist Form

Page 10 of 10
Project Number: 2015-01Project Address: 495 Java Drive
Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12, 50, 108, 109
c. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7, 50, 108, 109
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 43, 50, 108, 109
e. Other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 53, 108, 109
10. MANDATORY FINDINGS OF SIGNIFICANCE					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, see previous responses
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	92, 108, 109
11. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"

Environmental Checklist Form

Page 11 of 18
Project Number: 2005-02Project Address: 495 Java Drive
Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
b. Result in substantial soil erosion or the loss of topsoil?					"
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
12. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108, 109
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 109
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 53, 109
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 50, 53
e. Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19, 50, 53
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108, 109

Environmental Checklist Form

Page 12 of 18
 Project Number: 2005-c
 Project Address: 495 Java Drive
 Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 108, 109
13. TRANSPORTATION/TRAFFIC. Would the project:					
a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50, 109, 110
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50, 109, 110
c. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	109, 110
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50
e. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	109
f. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	53, 108, 109
14. HAZARDS AND HAZARDOUS MATERIALS. Would the project?					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC

Environmental Checklist Form

Page 13 of 18
 Project Number 20050034
 Project Address: 495 Java Drive
 Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
g. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
15. RECREATION					
a. Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50,108, 109
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	108, 109
16. HYDROLOGY AND WATER QUALITY.					
Would the project:					
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19,23,24, 92, 109
b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	25, 91, 109
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 109

Environmental Checklist Form

Page 14 of 18
 Project Number: 2005-034
 Project Address: 495 Java Drive
 Applicant: Network Appliance

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 109
e. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	25, 109
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	108, 109
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	108, 109
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	53, 109
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 50
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,50

Discussion:No Impacts or Less than Significant Impact

Air Quality 2.C Cumulative Impacts Approval of the proposed campus has no impact on cumulative Air Quality due to the lack of generation of criteria pollutants by their operations. The associated pollutants from traffic generated by the proposed project and the cumulative impacts of buildout of the Moffett Park Specific Plan were previously addressed in the certified Program EIR. This impact was determined to have no feasible mitigation at the time of approval of the Specific Plan and statements of overriding consideration were adopted by the City Council.(no impact)

Biological Resources 3.A Habitat Impacts The primary concern for protected species is the burrowing owl. The certified program EIR outlines a mitigation monitoring requirement for owl surveys prior to new or redevelopment projects when there is potential for burrowing owls to have established habitat. Due to the site's conditions as developed site and that there is no evidence of burrowing owls having previously occupied or currently occupying the premises a burrowing owl survey has not

been required at this time. However, since this is a phased master plan if large areas of land were to remain open and undeveloped for a long period of time the owls could potentially establish habitat on the site. As part of the mitigation monitoring program requirements subsequent surveys could be required if need be for later phases of the development to establish that burrowing owl habitat is not being diminished. (no impact)

POPULATION AND HOUSING 8.A Induce Population Growth The need for support services and housing to serve the buildout of Moffett Park was analyzed as part of the certified Program EIR. The resulting buildout of the plan would have significant impacts on general growth and housing needs for the City of Sunnyvale and region. No feasible mitigation was identified and statements of overriding consideration were adopted for cumulative growth impacts. Despite the lack of complete mitigation the city has adopted an ordinance requiring a mitigation fee be paid for floor area constructed above 50% in relation to this site. The collected funds are used for affordable housing projects and programs and is administered by the City of Sunnyvale Housing Division. (no impact)

Hydrology 16.H Flood Hazard The proposed project is located within a 100 year flood plain. The grade of the project is lowest at the north end of the site and gradually moves up at the south end of the site. The applicant will build up each individual building pad thereby raising each building out of the flood plain. At the lowest point there will be eight feet of grade change from top curb to top of building pad. Due to build up of the surrounding area and the current system of flood controls there is no likelihood of redirection of flood flows by the proposed design. (less than significant)

Transportation 13.b Cumulative Level of Service

The previously Certified EIR analyzes the impacts of buildout of the Moffett Park Specific Plan on Sunnyvale's transportation system and regional roadways. The improvements identified within the City are included within the scope of the Citywide Traffic Impact fee ordinance which is part of the Transportation Strategic Program. The proposed application will be subject to the traffic impact fee for all net new trips generated by the project resulting in no impact to City facilities in accordance with the Transportation Strategic Program. Impacts to both regional roadways and congestion were also previously analyzed in the Certified EIR. Complete mitigation was determined to be infeasible. The City of Sunnyvale adopted findings and statements of overriding consideration at the time of certification of the EIR and approval of the project. The proposed construction does not have additional impacts on the flow of traffic on adjacent or regional roadways beyond what was previously analyzed. ((no impact))

Impacts That Are Potentially Significant Without Mitigation

Transportation 13.A,C

In regards to the proposed project's circulation pattern, a study was performed by Fehr & Peers Transportation Consultants (F&P) to determine the adequacy of design for the

project's circulation and its affect on the public system. The study addressed localized intersections that were not addressed in the EIR or TSP. The result of the analysis was that the intersection to Crossman Avenue and Caribbean Drive did not have adequate turn pocket depth for the volume of traffic turning onto Crossman Avenue. Additionally, at buildout of the Moffett Park Specific Plan there is potential for the overall level of service of the same intersection to operate at Level E where the minimum threshold is Level D. Mitigation is proposed of providing a second turn lane to mitigate the LOS impact.

Traffic Mitigation #1

What and Where: Crossman Avenue and Caribbean Drive intersection left turn pocket onto Crossman Avenue. Extend queuing length of turn pocket by 175 feet.

How: The developer shall improve the street section for the left turn pocket extension of 175 feet to City of Sunnyvale specifications. Approval of an encroachment permit is required for the construction.

When: The improvement shall be constructed prior to occupancy of the first building developed in the campus other than a parking structure or building #4.

Who: The City will require this improvement as a condition of approval of the Design Review and it is to be indicated on the public improvement plans for the construction of the project prior to its issuance of a permit for construction of a new building.

Traffic Mitigation #2

What and Where: Crossman Avenue and Caribbean Drive intersection left turn pocket onto Crossman Avenue. Level of Service improvements, specific recommendation is for a double left turn lane onto Crossman Avenue.

How: The developer shall improve the street section and modify signal timing for a double left turn lane or other similar level of service improvement designated by the City of Sunnyvale Transportation Manager. Coordination with Public Works Transportation Division and approval of an encroachment permit is required for the improvements.

When: The improvement shall be constructed prior to occupancy of the second building developed in the campus other than a parking structure and building #4. This improvement may be done in conjunction with Mitigation #1 as well.

Who: The City will require this improvement as a condition of approval of the Design Review and it is to be indicated on the public improvement plans for the construction of the project prior to its issuance of a permit for construction of a new building.

Kelly Diekmann

Completed By

05/24/2005

Date

Environmental Checklist Form

Page 17 of 18
Project Number: 2005-03
Project Address: 495 Java Drive
Applicant: Network Appliance

City of Sunnyvale General Plan:

1. Map
2. Air Quality Sub-Element
3. Community Design Sub-Element
4. Community Participation Sub-Element
5. Cultural Arts Sub-Element
6. Executive Summary
7. Fire Services Sub-Element
8. Fiscal Sub-Element
9. Heritage Preservation Sub-Element
10. Housing & Community Revitalization Sub-Element
11. Land Use & Transportation Sub-Element
12. Law Enforcement Sub-Element
13. Legislative Management Sub-Element
14. Library Sub-Element
15. Noise Sub-Element
16. Open Space Sub-Element.
17. Recreation Sub-Element
18. Safety & Seismic Safety Sub-Element
19. Sanitary Sewer System Sub-Element
20. Socio-Economic Sub-Element
21. Solid Waste Management Sub-Element
22. Support Services Sub-Element
23. Surface Run-off Sub-Element
24. Water Resources Sub-Element

City of Sunnyvale Municipal Code:

25. Chapter 12.6
26. Zoning Map
27. Chapter 19.42. Operating Standards
28. Chapter 19.28. Downtown Specific Plan District
29. Chapter 19.18. Residential Zoning Districts
30. Chapter 19.20. Commercial Zoning Districts
31. Chapter 19.22. Industrial Zoning Districts
32. Chapter 19.24. Office Zoning Districts
33. Chapter 19.26. Combining Zoning Districts
34. Chapter 19.28. Downtown Specific Plan
35. Chapter 19.46. Off-Street Parking & Loading
36. Chapter 19.56. Solar Access
37. Chapter 19.66. Affordable Housing
38. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
39. Chapter 19.94. Tree Preservation
40. Chapter 19.96. Heritage Preservation

Specific Plans

41. El Camino Real Precise Plan
42. Lockheed Site Master Use Permit
43. Moffett Field Comprehensive Use Plan
44. 101 & Lawrence Site Specific Plan
45. Southern Pacific Corridor Plan
46. Moffett Park Specific Plan

Environmental Impact Reports

47. Futures Study Environmental Impact Report
48. Lockheed Site Master Use Permit Environmental Impact Report
59. Tasman Corridor LRT Environmental Impact Study (supplemental)
50. Moffett Park Specific Plan EIR
51. Downtown Development Program Environmental Impact Report

Maps

52. City of Sunnyvale Aerial Maps
53. Flood Insurance Rate Maps (FEMA)
54. Santa Clara County Assessors Parcel
55. Utility Maps (50 scale)

Lists/Inventories

56. Sunnyvale Cultural Resources Inventory List
57. Heritage Landmark Designation List
58. Santa Clara County Heritage Resource Inventory
59. Hazardous Waste & Substances Sites List (State of California)
60. List of Known Contaminants in Sunnyvale

Legislation/Acts/Bills/Codes

61. Subdivision Map Act
62. Uniform Fire Code, including amendments per SMC adoption
63. National Fire Code (National Fire Protection Association)
64. Title 19 California Administrative Code
65. California Assembly Bill 2185/2187 (Waters Bill)
66. California Assembly Bill 3777 (La Follette Bill)
67. Superfund Amendments & Reauthorization Act (SARA) Title III

Transportation

68. California Department of Transportation Highway Design Manual
69. California Department of Transportation Traffic Manual
70. California Department of Transportation Standard Plan
71. California Department of Transportation Standard Specification
72. Institute of Transportation Engineers - Trip Generation
73. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
74. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
75. California Vehicle Code
76. Traffic Engineering Theory & Practice by L. J. Pegnataro
77. Santa Clara County Congestion Management Program and Technical Guidelines
78. Santa Clara County Transportation Agency Short Range Transit Plan
79. Santa Clara County Transportation Plan
80. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
81. Santa Clara County Sub-Regional Deficiency Plan
82. Bicycle Plan

Environmental Checklist Form

ATTACHMENT C

Page 18 of 18
Project Number: 2005-9340
Project Address: 495 Java Drive
Applicant: Network Appliance

Public Works

- 83. Standard Specifications and Details of the Department of Public Works
- 84. Storm Drain Master Plan
- 85. Sanitary Sewer Master Plan
- 86. Water Master Plan
- 87. Solid Waste Management Plan of Santa Clara County
- 88. Geotechnical Investigation Reports
- 89. Engineering Division Project Files
- 90. Subdivision and Parcel Map Files

Miscellaneous

- 91. Field Inspection
- 92. Project Environmental Information Form
- 93. Annual Summary of Containment Excesses (BAAQMD)
- 94. Current Air Quality Data
- 95. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 96. Association of Bay Area Governments (ABAG) Population Projections
- 97. Bay Area Clean Air Plan
- 98. City-wide Design Guidelines
- 99. Industrial Design Guidelines

Building Safety

- 100. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 101. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 102. Uniform Plumbing Code, (Including the California Plumbing Code)
- 103. Uniform Mechanical Code, (Including the California Mechanical Code)
- 104. National Electrical Code (Including California Electrical Code)
- 105. Title 16 of the Sunnyvale Municipal Code

Additional References

- 106. USFWS/CA Dept. F&G Special Status Lists
- 107. Project Traffic Impact Analysis
- 108. Project Description
- 109. Project Development Plans
- 110. Traffic Analysis Fehr and Peers
- 111. Santa Clara County Airport Land Use Plan
- 112. Federal Aviation Administration